

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

53411

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Order Filed on October 12, 2022  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

Case No. 22-13079

Adv. No.

Hearing Date: 9-28-22

Judge: (SLM)

In Re:

FREDERICO C. MAGALHAES

**ORDER FOR LEASE ASSUMPTION, MONTHLY LEASE PAYMENTS, STAY RELIEF UNDER  
CERTAIN CIRCUMSTANCES, INSURANCE, COUNSEL FEES, AND SELF-EXECUTING STAY  
RELIEF AT LEASE END**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: October 12, 2022**

A handwritten signature in cursive script, reading "Stacey L. Meisel".  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

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Debtor: Frederico C. Magalhaes

Case No: 22-13079

Caption of Order: Order for lease assumption, monthly lease payments, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

This matter having brought before this Court on a Motion for Stay Relief, filed by John R. Morton, Jr., Esq., attorney for Daimler Trust, with the appearance of Herbert B. Raymond, Esq. on behalf of the Debtor, and this Order having been filed with the Court and served upon the Debtor and his attorney under the seven-day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

**ORDERED:**

- 1. That Daimler Trust is the owner and lessor of a 2022 Mercedes-Benz GLE450 bearing vehicle identification number 4JGFB5KB0NA653019.**
- 2. That with the entry of this order the Debtor has assumed the lease.**
- 3. That commencing October 2022, the Debtor is to make each monthly lease payment directly to Daimler Trust by the date that each payment falls due under the lease agreement. If the Debtor fails to make any monthly payment within thirty (30) days after it falls due, Daimler Trust shall be entitled to stay relief upon filing a certification of non-payment with the court and serving it on the Debtor, his attorney, and the Chapter 13 trustee.**
- 4. That the Debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Daimler Trust must be listed as loss payee. If the Debtor fails to maintain valid insurance on the vehicle, Daimler Trust shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtor, his attorney, and the Chapter 13 trustee.**

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Debtor: Frederico C. Magalhaes

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- 5. That at the end of the lease the debtor must either surrender the vehicle or purchase it in accordance with the lease-end purchase option. At lease-end, Daimler Trust shall be entitled to immediate stay relief in order to repossess (if necessary) and sell said vehicle without further application to the court. The terms of this paragraph are deemed to be self-executing in nature.**
- 6. That the Debtor must pay a counsel fee of \$431.00 to Daimler Trust through his Chapter 13 plan.**